

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

MARY JONES, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CIVIL ACTION NO. 1:06cv585-WHA
	)	
LAMAR GLOVER,	)	
	)	
Defendant.	)	

**ORDER**

This case is before the court on the Plaintiffs' Motion to Appoint Special Process Server (doc. #37), filed on March 14, 2007. The Plaintiff seeks appointment of a special process server to perfect service of process on Thomas M. Flathmann.

Thomas M. Flathmann is no longer a defendant in this case, having been dismissed without prejudice (Doc. #22) on November 27, 2006, for failure to serve him within the time allowed by Rule 4(m). If Plaintiffs now wish to add him as an additional defendant, they are given leave to include claims against him in the Amended Complaint which they were authorized to file by March 23, 2007 (see Doc. #36). Plaintiffs are cautioned that any § 1983 claims sought to be added against Thomas M. Flathmann must comply with the heightened pleading requirements referred to in the court's order of March 8, 2007 (Doc. #36).

Therefore, it is hereby

ORDERED that Plaintiffs' Motion to Appoint Special Process Server is DENIED, without prejudice to re-filing if Thomas M. Flathmann is properly brought back into this case by an Amended Complaint.

DONE this 15th day of March, 2007.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON

SENIOR UNITED STATES DISTRICT JUDGE